

LABEL, IN PART: "Creamery Butter Distributed by Fairmont Foods Company * * * Omaha, Nebr. 66 Lbs. Net" and "Creamery Butter Fox DeLuxe Foods, Inc. Chicago, Ill. Net Wt. 64 Lbs."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of insect fragments, manure fragments, and rodent hair fragments, and by reason of the use of filthy cream in the preparation of the article.

DISPOSITION: June 1, 1954. The defendant having entered a plea of guilty, the court fined it \$500 and placed it on probation for 3 years.

21765. Adulteration of butter. U. S. v. Mountain States Creamery Co. of Colorado and O. L. Mortensen. Pleas of guilty. Fine of \$800 against corporation and \$200 against individual. (F. D. C. No. 35790. Sample Nos. 14736-L to 14738-L, incl., 74262-L.)

INFORMATION FILED: March 2, 1954, District of Colorado, against the Mountain States Creamery Co. of Colorado and O. L. Mortensen, secretary and treasurer of the corporation, Denver, Colo.

ALLEGED SHIPMENT: Between the approximate dates of August 25 and September 6, 1953, from the State of Colorado into the States of California and Wyoming.

LABEL, IN PART: "Mountain States Creamery Co. of Colorado" and "Butter Patties First Quality * * * Mountain States Distributing Co., Denver, Colorado."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the presence of fly setae, other insect fragments, and rodent hair fragments, and by reason of the use of filth-contaminated cream in the preparation of the article.

DISPOSITION: July 28, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$800 and the individual \$200.

21766. Adulteration of butter and misbranding of a pasteurized process cheese food. U. S. v. Merchants Creamery Co. and Edwin A. Bischoff. Pleas of guilty. Fine of \$3,000 against corporation and \$6,500 against individual. (F. D. C. No. 35809. Sample Nos. 51766-L, 54215-L, 57150-L, 57154-L, 57155-L, 70846-L, 72362-L.)

INFORMATION FILED: June 18, 1954, Southern District of Ohio, against the Merchants Creamery Co., a corporation, Cincinnati, Ohio, and Edwin A. Bischoff, president and treasurer of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of December 11, 1952, and September 30, 1953, from the State of Ohio into the States of New York, Michigan, Indiana, and West Virginia.

LABEL, IN PART: (Butter) "Springfield Brand * * * Creamery Butter Manufactured By The Merchants Creamery Co. Cincinnati, Ohio" and "Rose Brand Creamery Butter * * * The Merchants Creamery Company Cincinnati, Ohio"; (cheese food) "Roselawn * * * American Cheese Food Manufactured By Merchants Creamery Co., Cincinnati, Ohio."

NATURE OF CHARGE: Butter. Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by the reason of the presence of ants, fly fragments, other insect fragments, and rodent hair fragments; Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth; Section 402 (b) (1),

a valuable constituent, milk fat, had been in part omitted from the article; and, Section 402 (b) (2), a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

Pasteurized process cheese food. Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for pasteurized process cheese food since it contained more than 44 percent of moisture and its solids contained less than 23 percent of milk fat.

DISPOSITION: June 18, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$3,000 and the individual \$6,500.

21767. Adulteration of butter. U. S. v. 26 Boxes (1,664 pounds) * * *. (F. D. C. No. 35902. Sample No. 66117-L.)

LABEL FILED: August 3, 1954, Northern District of Illinois.

ALLEGED SHIPMENT: On or about July 14, 1954, various quantities of cream were shipped into the State of Illinois by individual shippers in the States of Missouri, Kentucky, Arkansas, and Indiana.

PRODUCT: 26 64-pound boxes of butter at Chicago, Ill.

RESULTS OF INVESTIGATION: The cream, which examination revealed to be decomposed, was converted into butter by the Western United Dairy Co., Chicago, Ill., after shipment in interstate commerce.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of its having been prepared from decomposed cream.

DISPOSITION: October 11, 1954. Default decree of condemnation and destruction.

CHEESE*

21768. Adulteration of cheddar cheese. U. S. v. National Cheese Co. Plea of nolo contendere. Fine of \$2,000, plus costs. (F. D. C. No. 35798. Sample Nos. 55173-L, 55174-L.)

INFORMATION FILED: May 17, 1954, Northern District of Illinois, against the National Cheese Co., Chicago, Ill.

ALLEGED SHIPMENT: Between the approximate dates of August 19 and September 1, 1953, from the State of Illinois into the State of Wisconsin.

LABEL, IN PART: "Illinois Cheddar Cheese Made From Pasteurized Milk Approved Plant #581."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a filthy substance by reason of the use of filth-contaminated milk in the preparation of the article; and, Section 402 (a) (4), the article had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 17, 1954. The defendant having entered a plea of nolo contendere, the court fined it \$2,000, plus costs.

21769. Adulteration of parmesan cheese. U. S. v. 3 Cases * * *. (F. D. C. No. 36477. Sample No. 50428-L.)

LABEL FILED: April 5, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about February 12, 1954, by the Frigo Bros. Cheese Corp., from Lena, Wis.

*See also No. 21766.